yard,[17] a customs house,[18] locks and dams,[19] a post office,[20] a penitentiary,[21] an Indian training school,[22] a soldiers' home,[23] a hospital,[24] a court house,[25] and ship piers.[26]

In the *Tucker* case, supra, the District Court observed that the "broadest construction has been wisely put upon" the language of Art. I, Sec. 8, Cl. 17 of the Constitution, and expressed the view that it covers "all structures and all places necessary for carrying on the business of the national government." This view was adopted by the Supreme Court of the United States in the *Dravo* case, supra, in which the Court construed "other needful buildings" as "embracing whatever structures are found to be necessary in the performance of the functions of the Federal Government." However, this decision is not interpreted as meaning that exclusive jurisdiction may be exercised over lands which are purchased pursuant to consent given in terms of the Constitution, and which are used in the exercise of powers not delegated to the general government by that instrument, as for instance, lands acquired for farm resettlement purposes or for low-cost housing developments, which are occupied for private uses in anticipation of ultimate private ownership. In an Oklahoma case the United States Circuit Court of Appeals [27] held that the Government had acquired exclusive jurisdiction over a housing project in Oklahoma City. However, that case did not involve the meaning of the words "other needful buildings" as the term is used in the Constitution or in consent-to-purchase statutes. The lands were occupied by the United States pursuant to an Oklahoma statute which expressly ceded exclusive jurisdiction in language broad enough to cover lands acquired for any use of the United States. The question at issue was whether a housing project is such a "public use" as to authorize the United States to acquire the lands through the exercise of the power of eminent domain.

**38. Public use distinguished from use contemplated by Art. I, Sec. 8, Cl. 17 of Constitution.**—A public use is not necessarily a use contemplated by Art. I, Sec. 8, Cl. 17 of the Constitution. In the *Mason* case, supra, which was decided on the same day as the *Dravo* case, supra, the Supreme Court of the United States recognized that a use of lands by the United States may be a use in

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[17] *Western Union Telegraph Co.* v. *Chiles*, 214 U. S. 274, 278, 29 S. Ct. 613.

[18] *Sharon* v. *Hill*, 24 Fed. 726, 730.

[19] *James* v. *Dravo Contracting Co.*, 302 U. S. 134; *United States* v. *Tucker*, 122 Fed. 518. But see *Valley County* v. *Thomas*, 97 P. (2) 345.

[20] *Battle* v. *United States*, 209 U. S. 36, 37; *United States* v. *Andem*, 158 Fed. 996, 1002.

[21] *Steele* v. *Halligan*, 229 Fed. 1011.

[22] *United States* v. *Wurtzbarger*, 276 Fed. 753.

[23] *State* v. *Willett*, 97 S. W. 299 (Tenn.).

[24] *Arlington Hotel Co.* v. *Fant*, 278 U. S. 439, 49 S. Ct. 227.

[25] *State* v. *Mack*, 47 P. 763 (Nev.).

[26] *United States* v. *Mayor and Council, City of Hoboken*, 29 Fed. (2) 932, 941, 942.

[27] *Oklahoma City et al.* v. *Sanders*, 94 Fed. (2) 323. See *Johnson* v. *Morrill*, 126 P. (2) 873, involving defense housing constructed under Lanham Act.